

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO. FILING DATE FIRST NAMED INVENTOR
09/581,614 06/15/2000 Kenneth Hoo-Yin Lam

23117 7590 01/05/2004

NIXON & VANDERHYE, PC
1100 N GLEBE ROAD
8TH FLOOR
ARLINGTON, VA 22201-4714

ATTORNEY DOCKET NO. CONFIRMATION NO.
36-1337 1019

EXAMINER
ESCALANTE, OVIDIO

ART UNIT PAPER NUMBER
2645

DATE MAILED: 01/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/581,614

Applicant(s)

LAM, KENNETH HOO-YIN

Examiner

Ovidio Escalante

Art Unit

2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 September 2003.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This action is in response to applicant's amendment filed on September 5, 2003. **Claims 1-20** are now pending in the present application.

Claim Rejections - 35 USC § 103

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
3. Claims 1-5, 8 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yacenda et al. US Patent 5,822,418 in view of Silverman US Patent 5,875,240.

Regarding claims 1 and 11, Yacenda teaches a telecommunications network including a network based telephone answering system to which calls for a particular network destination may be diverted, said destination being identified by a single telephone number, (col. 21, lines 7-19; each individual of the network, (customer) is able to setup a profile for using call screening and which may divert the call),

the network including control means programmable by customer action at the network destination to select conditions under which some or all calls for the destination are diverted, (col. 21, lines 7-26; calling parties that are included in a call screening list will be diverted to a locator feature. Those calling parties that are not included will not be directed to the locator feature), the telephone answering system further including:

means selectively to store respective messages and to associate such messages with a particular one of said plurality of customers of the destination in response to predetermined characteristics for an incoming call, (col. 17, lines 48-63; a calling party may leave a message for the customer if the customer was not located or is busy),

and means to selectively play messages for a particular one of said plurality of customers only on receipt of signals identifying said particular one of said plurality of customers, (col. 17, lines 48-64; col. 18, lines 25-32).

While Yacenda teaches of the destination being identified by a single telephone number, Yacenda does not specifically teach of the destination being used by a plurality of called customers and allowing setup of a profile of that the destination based on plural customers. However, Yacenda suggests that a single telephone number may be used to contact the destination and then a further number is given to identify the called party, (col. 25, lines 54-58). Therefore, it would have been obvious to have only a single number since the system already provides single number service for the network destination.

Nonetheless, Silverman teaches of a method in which a telephone call is routed to a destination and wherein a plurality of individuals are associated with a common telephone i.e. single telephone number, (abstract; col. 5, lines 27-53; col. 12, line 55-col. 13, line 7; fig. 3).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Yacenda by allowing plural customers to use a single telephone as suggested by Silverman so that that different individuals who work different shifts and used the same telephone can have the calls being routed based on their profiled and so that the telephone numbers can effectively become a mobility number for more than one individual.

Regarding claims 2 and 12, Yacenda teaches the telephone answering system is responsive to receipt of a diverted call to cause information identifying each of said plurality of customers to be transmitted to a calling customer, (col. 15, lines 46-58; the calling party receives

Art Unit: 2645

information about group members) said system connecting means being responsive to calling customer action to associate a subsequently deposited message with a particular one of said plurality of customers, (col. 17, lines 53-64; once the calling party selects a particular customer and the customer is unavailable then the calling party can leave a message for the customer).

Regarding claims 3 and 13, Yacenda teaches the telephone answering system is responsive to network signals identifying the calling party to associate a message received during the same call with a particular one of the plurality of customers, (col. 19, lines 45-56; col. 21, lines 7-19).

Regarding claims 4 and 14, Yacenda teaches in which calls are selectively diverted to the telephone answering system or are connected to the network destination in dependence upon the network signals identifying the calling party line, (col. 21, lines 7-41; if the calling party is on a call screening list then they are connected to the customer; if the calling party is not on the list the they are routed to a telephone answering system).

Regarding claims 5 and 15, Yacenda teaches in which calls for at least one of the plurality of customers of a particular network destination are required to be diverted to the telephone answering system while calls for at least one other of the plurality of customers for that particular network destination are not so diverted, (col. 15, lines 46-48),

the network being responsive to calls for the particular network destination to provide information to the calling party line identifying each of the plurality of customers and responding to customer reaction to such information thereto to connect the call either to the network destination or to the telephone answering system, (col. 15, lines 46-48; col. 21, lines 7-26; since

Art Unit: 2645

each customer may setup their own profile, then calls to one specific customer may all be diverted whereas calls to another customer may be connected to the customer).

Regarding claims 8 and 18, Yacenda teaches in which the telephone answering system is responsive to signaling identifying a particular one of the plurality of customers using said particular network destination to play back respective messages stored for that customer, (col. 8, lines 25-32).

Regarding claims 10 and 20, Yacenda teaches subsequent to playing messages for the identified one of the plurality of customers using said particular network destination, the system causes a voice announcement indicative of the presence or absence of messages for other users at the same network destination, (col. 21, lines 7-26; col. 15, lines 46-48; the system is able to announce messages for all customers that are part of the same group or are at the same location).

4. Claims 6,7 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yacenda in view of Silverman and further in view of Matthews et al. US Patent 4,602,129.

Regarding claims 6,7,9,16,17 and 19, Yacenda, as applied above, does not specifically teach of having a stored message being associated with more than one of the plurality of customers.

Matthews teaches of a voice mail system which has a feature of a verbal bulletin board, (col. 70, lines 35-57). The verbal bulletin board of Matthews is capable of receiving a message from a calling party and is further capable of associating the message with more than one of the plurality of users if the calling party does not designate a single specific user, (col. 70, lines 35-57).

Art Unit: 2645

Matthews further teaches that when one of the user calls up the voice mail system they may be able to listen to all of their specific messages and further be able to listen to a message that was not associating with any particular user i.e. associated with all of the plurality of customers using said particular network destination, (col. 70, lines 35-57)

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Yacenda and Silverman by allowing the calling party to leave a message for a group of customers that is not specifically for a single customer as taught by Matthews so that it will no be necessary to leave a message for each customer if the calling party wants to leave the same message for multiple customers.

Response to Arguments

5. Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

Art Unit: 2645

however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7. Any response to this action should be mailed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

or faxed to:

(703) 872-9306, (for formal communications intended for entry)

Or:

(703) 872-9314, (for informal or draft communications, please label
"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal
Drive, Arlington, VA, Sixth Floor (Receptionist).

8. Any inquiry concerning this communication or earlier communications from the
examiner should be directed to Ovidio Escalante whose telephone number is (703) 308-6262.
The examiner can normally be reached on Monday to Friday from 6:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's
supervisor, Fan Tsang, can be reached on (703) 305-4895. The fax phone number for this Group
is (703) 872-9306.

Art Unit: 2645

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [fan.tsang@uspto.gov].

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

Ovidio Escalante
Examiner
Group 2645
December 22, 2003

FAN TSANG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

